

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

MARK K. TOLSON,  
Plaintiff,

v.

STATE OF WASHINGTON, et al.,  
Defendants.

Case No. C09-5622BHS

ORDER ADOPTING REPORT  
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable J. Richard Creatura, United States Magistrate Judge (Dkt. 31). The Court having considered the R&R and the remaining record, and the parties having stipulated to the motion to dismiss, does hereby find and order as follows:

- (1) The Court adopts the R&R; and
- (2) This action is **DISMISSED without prejudice**.

DATED this 1<sup>st</sup> day of March, 2011.



BENJAMIN H. SETTLE  
United States District Judge

ORDER